

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:19-cv-00157-GCM-DCK

RED APPLE DEVELOPMENT, LLC, )

Plaintiff, )

VS. )

RUFUS ROAD PARTNERS, LLC, )

Defendant. )

# ORDER and JUDGMENT

THIS MATTER is before the Court on Plaintiff's Motion for Election of Remedies (Doc. No. 66), following a jury's verdict in Plaintiff's favor (Doc. No. 65). Plaintiff's Motion (Doc. No. 66) also requests the Court enter a scheduling order to govern post-trial briefing and, in doing so, allow Plaintiff to file any motion for attorneys' fees fourteen (14) days after the Court enters an order on any post-trial motions. Defendant did not file any response in opposition or otherwise objected to Plaintiff's Motion, and the time for doing so has expired.

IT IS THEREFORE ORDERED that Plaintiff's Motion (Doc. No. 66) is GRANTED and Judgment is hereby entered consistent with the jury's verdict for Plaintiff in the amount of \$200,000 plus interest.

IT IS FURTHER ORDERED that the Federal Rules of Civil Procedure shall govern the deadlines for filing post-trial motions. Plaintiffs may file a motion for attorneys' fees within fourteen (14) days after the Court rules on post-trial motions or, if no post-trial motions are filed, fourteen (14) days after the deadline for doing so.

IT IS SO ORDERED.

Signed: June 30, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

